

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

JOHN DILLARD, et al.,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL ACTION NO.
)	2:87cv1232-MHT
TOWN OF HEATH,)	(WO)
)	
Defendant.)	

FINAL JUDGMENT

Pursuant to the joint motion to show cause as to why this case should not be dismissed (Doc. No. 2), an order was entered on June 14, 2007 (Doc. No. 3), directing defendant Town of Heath to show cause, if any there be, in writing by August 13, 2007, as to why said motion should not be granted. No response has been filed by defendant.

There being no objection to the show-cause order and the final dismissal of this action, and Alabama Act No. 2006-252 having received preclearance, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) The motion to show cause as to why this case should not be dismissed (Doc. No. 2) is granted.

(2) It is DECLARED as the judgment of this court that Alabama Act No. 2006-252 provides state legislative authority for the method of election and number of seats prescribed by the consent decree and order of the court entered November 2, 1989, providing that the Town Council of the Town of Heath consist of five members elected at-large, without designated or numbered places, with the five candidates receiving the most votes being elected, and each voter casting as many as five votes which may be distributed among the candidates as the voter may choose.

(3) The injunction contained in the prior judgment of the court to the extent it pertains to defendant Town of Heath is dissolved.

(4) All claims against defendant Town of Heath in this action are dismissed.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

DONE, this the 15th day of August, 2007.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE